IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Civil Transfer Application No. 02 of 2007

Smt. Madhu Sharma W/o Sri Anil Sharma,
R/o 24/4 O.N.G.C. Colony, Dehradun.
District Dehradun.

....Petitioner

Vs

Anil Sharma S/o Sri Kailash Chandra Sharma,
R/o 396, Vikas Colony Haridwar.
District Haridwar.

....Respondent

Sri Lok Pal Singh, learned counsel for the petitioner.
Sri Bhuvesh Joshi Advocate, Holding brief of Sri Vivek Shukla, learned counsel for the respondent.

Hon'ble B.S. Verma, J.

The certified copy of the application dated 12-4-2007 is taken on record.

Heard Sri Lok Pal Singh, learned counsel for the petitioner and Sri Bhuvesh Joshi, Advocate holding brief of Sri Vivek Shukla, learned counsel for the respondent.

The Civil Transfer application has been filed by the applicant with a prayer to transfer to the Case No. 60 of 2006 Anil Sharma Vs. Smt. Madhu Sharma filed under Section 9 of the Hindu Marriage Act for restitution of conjugal rights against the applicant from the Court of Judge, Family Court, Haridwar to the Court of Judge, Family Court, Dehradun.

Sri Bhuvesh Joshi, Advocate holding brief of Sri Vivek Shukla, learned counsel for the respondent made a statement at bar that the application has already been filed by the respondent to withdraw the case under Section 9 before the Judge Family Court, Hardwar. No order has been passed by the Family Judge Court, Haridwar on the said application till today.

The Judge Family Court, Haridwar is directed to pass an appropriate order on the application moved by the respondent on 12-4-2007, which is pending for disposal. The Judge Family Court, Hardwar is directed to decide the application within a period of four weeks from the date of production of certified copy of this order.

If the respondent wants to proceed with the matter further in that event, the Judge Family, Court, Hardwar is directed to remit the case for hearing to the Judge Family Court, Dehradun. It is further clarified that the Judge Family Court, Hardwar shall take decision before remitting the record on the said application.

With the said observation, the Civil Transfer application is disposed of.

All applications stands disposed of accordingly.

(B.S. Verma, J.)

Dated: - 6-6-2007
M.K.